

To: Planning and Climate Change Policy Board

On: 1 November 2022

Report by: Chief Executive

Heading: Tree Preservation Order Requests

1. Summary

- 1.1 This report seeks to provide an update to the Tree Preservation Order (TPO) requests which were agreed at the meeting of the Planning and Climate Change Policy Board in August 2022.
 - 1.2 In addition, this report also seeks to respond to requests to apply a TPO designation to a site at Kirklandneuk Park, Renfrew.
 - 1.3 The report also details requests for TPO designations which will be considered in due course and reported back with recommendations to future meetings of the Planning and Climate Change Policy Board.
 - 1.4 The requests submitted are considered in line with the relevant legislation, namely, Section 160 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, and within the procedures set out in the Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2011.
 - 1.5 The report recommends that a tree preservation order is made in relation to site at Kirklandneuk Park, Renfrew and also in relation to specific trees at Thornly Park Campus.
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2. Recommendations

- 2.1 It is recommended that the Board:

- (i) Note that the TPO designation agreed at the meeting of the Planning and Climate Change Policy Board in August 2022 in respect of the site known as the Old Lane SINC is currently subject to a period of public consultation.
 - (ii) Note that the Old Lane SINC proposal will be returned to a future meeting of the Planning and Climate Change Policy Board for confirmation or otherwise of the order.
 - (iii) Approve the need for a tree preservation order at a site known as Kirklandneuk Park and agree that officers proceed to prepare the order, serve it on relevant parties and make the order available to the public and seek representations.
 - (iv) Note that a TPO designation will apply in respect of specific trees at UWS Thornly Park Campus and officers are preparing the order and will serve it on relevant parties and make the order available to the public and seek representations.
 - (v) Note that consideration and assessment of the sites at woodland at, Dykebar Hospital, a site in Houston and Station Road, Bridge of Weir will be undertaken and the findings and recommendations presented at a future meeting of the Planning and Climate Change Policy Board.
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3. TPO Requests Previously Considered

Old Lane SINC

- 3.1. At the meeting of the Planning and Climate Change Policy Board in August 2022, it was agreed that TPO designations would be placed on the site known as Old Lane SINC.
- 3.2. In line with the Renfrewshire Planning and Development Tree Policy 2022 and the relevant legislation relating to Tree Preservation Orders, Officers have, regarding the aforementioned site, undertaken the following:
 - Prepared the relevant order and made it available online for review;
 - Served the order on relevant parties including landowners;
 - Published a public notice in the local press advising of the order; and
 - Provided an opportunity for comments to be made by any interested party in relation to the orders.
- 3.3. The 28 day consultation period has not yet concluded and as such interested parties are still able to make comment on the order. The deadline for any comments to be submitted is 23rd November 2022.
- 3.4. Following the conclusion of the consultation period any comments received will be considered and a further report brought back to a future meeting of the Planning and Climate Change Policy Board to confirm or otherwise the tree preservation order.

UWS Thornly Park Campus

- 3.5. At the meeting of the Planning and Climate Change Policy Board in August 2022, Elected Members agreed to apply a Tree Preservation Order on the site known as UWS Thornly Park together with the neighbouring sites to the north of the UWS Campus and also to the south of Caplethill Road.
- 3.6. Following the meeting of the Planning and Climate Change Policy Board in August 2022 an assessment was undertaken of the trees at UWS Thornly Park Campus together with the neighbouring sites to the north of the UWS Campus and also to the south of Caplethill Road. As a result of limited staff and resources, an independent consultant was appointed to undertake the assessment in question. It is significant to note that the report detailing the findings of the assessment has only recently been received.
- 3.7. The assessment undertaken has confirmed the following:
 - There are no trees located on the site to the south of Caplethill Road which are capable of a TPO designation;
 - There are several trees located on UWS Thornly Park Campus which are capable of a TPO designation.
 - There are no trees located on the site immediately to the north of the UWS Thornly Park Campus which are capable of a TPO designation.
- 3.8. The assessment undertaken has identified trees that definitely merit a TPO designation, while also identifying trees that possibly merit such a designation. Trees that definitely merit a TPO designation include common lime, sycamore, black pine, beech, goat willow, rowan, horse chestnut, yew, hawthorn and silver birch. Trees that are identified as possibly meriting a TPO designation comprises conifers, cherry, sycamore, goat willow, Highclere holly, beech, sycamore, common lime, yew, horse chestnut.
- 3.9. In light of the above, trees identified definitely meriting a TPO designation together with the trees which possibly merit such a designation will now be progressed by officers in line with the Renfrewshire Planning and Development Tree Policy 2022 and the relevant legislation relating to Tree Preservation Orders.
- 3.10. Officers will undertake the following as soon as possible:
 - Prepare the relevant order and make it available online for review;
 - Serve the order on relevant parties including landowners;
 - Publish a public notice in the local press advising of the order; and
 - Provide an opportunity for comments to be made by any interested party in relation to the orders.
- 3.11. Following the conclusion of the consultation period any comments received will be considered and a further report brought back to a future meeting of the Planning and Climate Change Policy Board to confirm or otherwise the tree preservation order.

4. TPO Requests

- 4.1. A number of other requests for tree preservation orders to be designated have been received and to date one of the sites requested has been considered and assessed.
- 4.2. The site in question relates to woodland at Kirklandneuk Park, Renfrew.
- 4.3. In light of the above, the request has been considered and a recommendation provided in respect of whether a TPO should be made.

Kirklandneuk Park, Renfrew

- 4.4. The woodland at Kriklandneuk Park is located to the east of the White Cart Water to the rear of residential properties at Kirkfield. The woodland in question is detailed in Appendix 1.
- 4.5. The woodland comprises a mix of species with heights found to be up to 16m. The trees mostly consists of self-sown mixed-age oaks, Goat willow, alder, and ash, with an area of pole-stage birch at the north-east end and a screening belt of mixed broadleaves including willow, alder, Wild cherry, birch, hazel, rowan planted in a 10-15m wide strip along the entire eastern boundary as a landscape scheme when the houses were built.
- 4.6. It is noted that most of the ash trees are suffering from Ash Dieback however not all trees are affected.
- 4.7. The site does not demonstrate evidence of regular maintenance, however the site is not considered to be neglected. If left alone, it is considered that the woodland will mature into a mostly oak woodland with all the ecological benefits that would bring.
- 4.8. Taking into account all of the above, it is recommended that the site in question justifies a TPO designation in the interests of amenity of the local area.

5. Other TPO Requests

- 5.1. In addition to the requests outlined and assessed above, the following requests for TPO designations have also been received:
 - Dykebar Hospital Grounds
 - Site in Houston
 - Station Road, Bridge of Weir

6. Next Steps

- 6.1. Following the conclusion of the public consultation period in respect of the TPO at the woodland at Old Lane SINC the TPO will be returned to Board to take account of any comments received and to confirm, or otherwise the order.
 - 6.2. A TPO is prepared in respect of the specific trees at UWS Thornly Park Campus. Thereafter the order will be served on the respective landowners and made available to the public for comment.
 - 6.3. A TPO is prepared in respect of the woodland at Kirklandneuk Park, Renfrew. Thereafter the order will be served on the respective landowners and made available to the public for comment.
 - 6.4. Following a period of public consultation, the above noted TPO's will be returned to Board to take account of any comments received and to confirm, or otherwise the respective orders.
 - 6.5. Assessments will be undertaken in relation to the sites at Dykebar Hospital, site in Houston and Station Road, Bridge of Weir.
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Implications of the Report

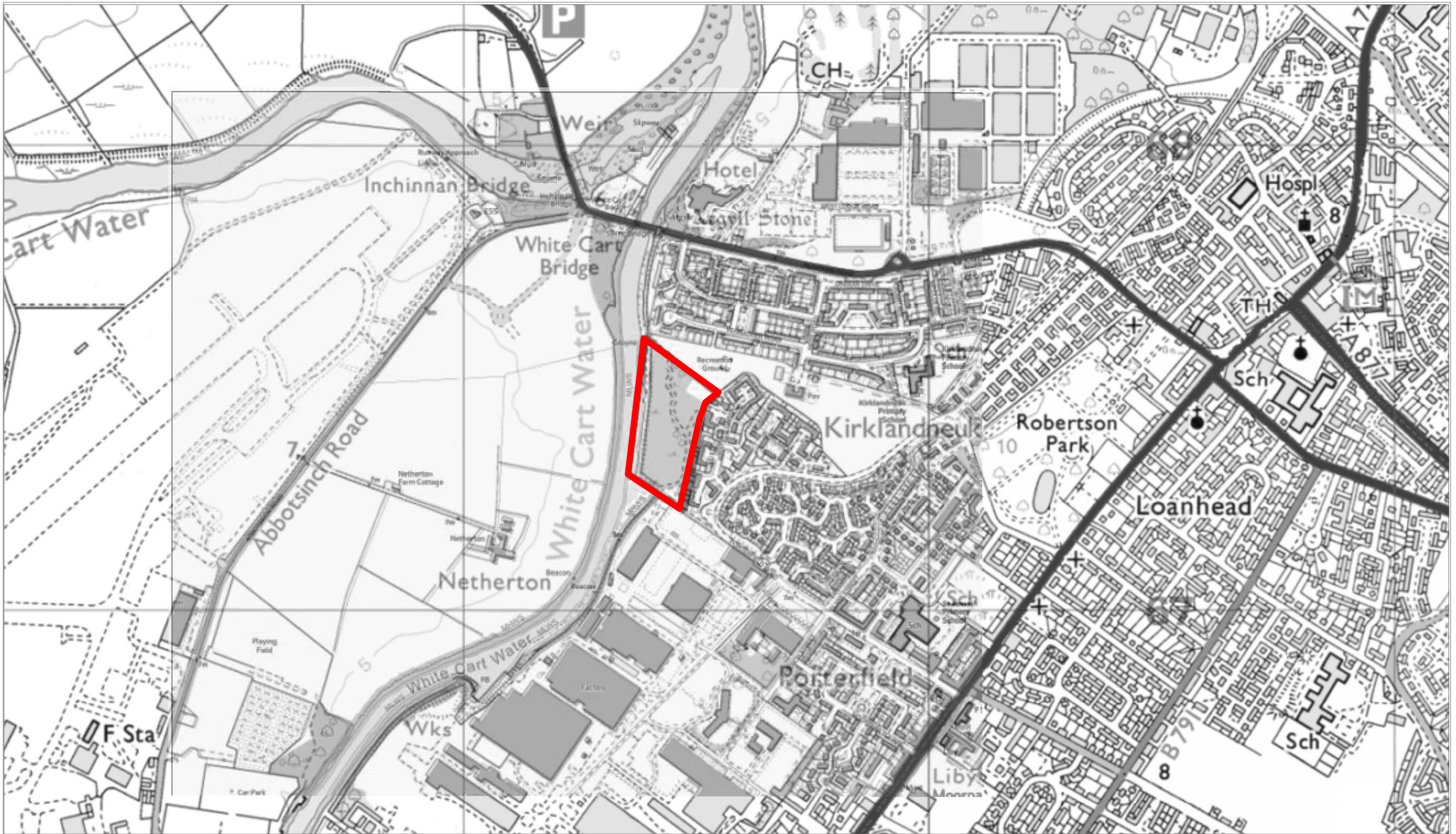
1. **Financial** – None. Although it should be noted by members that the number of requests being received is placing pressure on agreed department budgets available for assessment.
2. **HR & Organisational Development** – None.
3. **Community/Council Planning** – None
4. **Legal** – The recommendations in the report would require for two separate tree preservation orders to be made in relation to the sites in question. Should the orders be confirmed they would require to be lodged with the Land Register of Scotland.
5. **Property/Assets** - None
6. **Information Technology** - None
7. **Equality & Human Rights** -
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights.

No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.
9. **Procurement** – None.
10. **Risk** - None.
11. **Privacy Impact** – None.
12. **COSLA Policy Position** - None.
13. **Climate Risk** – The protection of trees worthy of TPO status will enhance biodiversity and contribute towards Renfrewshire's Climate Adaptation Plan.

Appendix 1: Site Plan – Kirklandneuk Park, Renfrew

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Land at Kirklandneuk, Renfrew

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